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February 27, 2017

**VIA ECF**

Hon. Stuart M. Bernstein  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, NY 10004-1408

Re: The Picower Parties' Motion to Redact Limited Portions of the Transcript of  
the Deposition of Bernard L. Madoff Taken on December 20, 2016 in  
*Securities Investor Protection Corp. v. Bernard L. Madoff Investment*  
*Securities LLC*, Adv. Pro. No. 08-01789 (SMB) (Bankr. S.D.N.Y.)

Dear Judge Bernstein:

We write in response to Helen Davis Chaitman's letter dated February 27, 2017 (ECF No. 15081 (the "Chaitman Letter")) and in furtherance of our letter dated February 24, 2017 requesting that the Court grant the motion of the Picower Parties<sup>1</sup> seeking limited redactions to the transcript of the deposition of Bernard L. Madoff taken on December 20, 2016 (the "Motion") without a hearing (ECF No. 15071 (the "Feb. 24 Letter")).

In the Chaitman Letter, Ms. Chaitman unilaterally extends her time to oppose the Motion and unilaterally eliminates the Picower Parties' time to reply. Neither action is consistent with the parties' stipulation or this Court's rules applicable to motions. Neither is permissible.

Rather, for the reasons stated in our Feb. 24 Letter, the Court should grant the Motion. Alternatively, in the event the Court permits Ms. Chaitman to file an opposition brief

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<sup>1</sup> The "Picower Parties" are Capital Growth Company; Decisions, Inc.; Favorite Funds; JA Primary Limited Partnership; JA Special Limited Partnership; JAB Partnership; JEMW Partnership; JF Partnership; JFM Investment Companies; JLN Partnership; JMP Limited Partnership; Jeffrey M. Picower Special Company; Jeffrey M. Picower, P.C.; The Picower Foundation; The Picower Institute of Medical Research; The Trust f/b/o Gabrielle H. Picower; and Barbara Picower, individually, as Executor of the Estate of Jeffrey M. Picower, and as Trustee for the Picower Foundation and for the Trust f/b/o Gabrielle H. Picower.

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even after the stipulated deadline has passed, it should set March 9, 2017 as the new filing deadline for Ms. Chaitman's opposition brief and March 17, 2017 as the new filing deadline for the Picower Parties' reply brief.

We appreciate the Court's attention to this matter.

Respectfully Submitted, .

A handwritten signature in black ink, appearing to read "Marcy Ressler Harris", written in a cursive style.

Marcy Ressler Harris

cc: Helen Davis Chaitman, Esq. (via email)  
Keith Murphy, Esq. (via email)  
Michael Kwon, Esq. (via email)